

Application No. 09/461,565
Amendment "C" filed May 2005
Reply to Office Action mailed March 10, 2005

REMARKS

Initially, Applicants would like to thank the Examiner for the courtesies that were extended during the recent interview held on April 14, in which the present invention was clearly distinguished from the art of record.

As discussed during the interview, the present amendment should be entered after final because it does not raise any new issues and merely places the application in condition for prompt allowance.

The final office action mailed March 10, 2005, considered and rejected claims 1-3, 5, 6, 8-10, 20, 21, 26-28 and 30-47. Claims 26-28, 30-34 and 47 were rejected under 35 U.S.C. 101. Claim 5 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1-3, 6, 8-10, 20, 21, 26-28 and 30-47 were rejected under 35 U.S.C. 103(a) as being unpatentable over Busey et al. (U.S. Patent No. 6,785,708 B1) in view of Schindler (U.S. Patent No. 6,081, 830).

By this paper, claim 5 has been amended to fix the minor typographical error by correcting the spelling of the term "overly". Claims 1, 10, 20, 35 and 36 have also been amended to fix minor errors with regard to claim language and to fix problems with antecedent basis. Finally, claims 26-34, 37, 39-41, 43-44 and 47 have been cancelled. Following this paper, claims 1-3, 5-6, 8-10, 20-21, 35-36, 38, 42 and 45-46 remain pending, and of which claims 1, 20 and 46 are the only independent claims at issue.

As discussed during the interview, the present invention is directed to embodiments in which video and chat are displayed in separate windows in a one display mode with one or more links to different display modes. When one of the links is selected, the frame displaying the chat

Application No. 09/461,565
Amendment "G" dated May 2005
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is changed to a different size or position (claim 1) (claim 20). In some instances, the frame displaying the video is also changed (claim 46) as is the chat frame.

The cited art, Schindler and Buscy are directed to systems in which chat is displayed with web content (Buscy) or with video content (Schindler). However, as described and further clarified during the interview, neither of these references, alone or in combination with each other or any other art of record (including previously cited art), teaches or suggests the claimed invention. In particular, the cited art clearly fails to teach or suggest the display of links to different display modes from within a chat window and that, when selected, causes the chat communications to be displayed by the chat frame in a different size and/or position than was used by the chat frame in the previous display mode.

In fact, to the contrary, Buscy and Schindler actually appear to show that the chat frame consistently remains the same size and in the same position regardless of any interaction or chat activity. Buscy was explicitly cited for the proposition that the second display mode includes displaying the second frame with at least one of a different size or frame than used in the first display mode. However, as was clearly discussed during the interview, Buscy only shows a single size and position for the chat window (see Figures 4B, 4D, 4E-4J, for example). Although Buscy appears to show a link (416) that can be displayed as a selectable object within the chat window, this link (416), if anything, merely causes a new additional window to be opened, when selected. Selection of this link does not, however, change the size or position of the chat frame displaying the chat. In fact, selection of that link actually opens a window that does not display any chat at the time, but merely links to new chat opportunities (421). (figures 4B-4C; Col. 7, ll. 38-39).

Application No. 09/461,565
Amendment "G" dated May 2005
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Accordingly, in view of the foregoing, it is clear that the cited art neither anticipates nor makes obvious the claimed invention in which the size and/or position of the chat window is changed in response to the selection of a link within the chat window and while the video content is continued to be displayed in the video window, as claimed. Therefore, Applicants respectfully submit that claims 1-3, 5-6, 8-10, 20-21, 35-36, 38, 42 and 45-46 are now in condition for immediate allowance.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephonic interview, the Examiner is requested to contact the undersigned attorney.

Dated this 3 day of May, 2005.

Respectfully submitted,



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